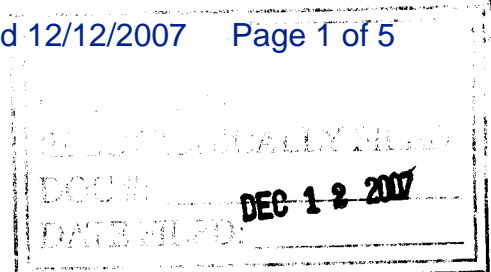


JUDGE CHIN

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



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UNITED STATES OF AMERICA

: INDICTMENT

v.

: 07 CRIM 1146

SHELTON HOLT and  
BENDAL HOLT,

:  
Defendants.  
:  
-----x

COUNT ONE

The Grand Jury charges:

1. From in or about April 2007, up to and including in or about June 2007, in the Southern District of New York and elsewhere, SHELTON HOLT and BENDAL HOLT, the defendants, and others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate, and agree together and with each other to commit offenses against the United States, to wit, to violate Title 18, United States Code, Section 1029(a)(5).

2. It was a part and an object of the conspiracy that SHELTON HOLT and BENDAL HOLT, the defendants, and others known and unknown, unlawfully, willfully, and knowingly, and with intent to defraud, in an offense affecting interstate and foreign commerce, did effect transactions with one and more access devices issued to another person and persons, to receive payment and other things of value during a one-year period the aggregate value of which is equal to and greater than \$1,000, in violation of Title 18, United States Code, Section 1029(a)(5).

OVERT ACTS

3. In furtherance of the conspiracy and to effect the illegal objects thereof, the following overt acts, among others, were committed in the Southern District of New York, and elsewhere:

a. On or about April 26, 2007, in New York County, New York, SHELTON HOLT, the defendant, used a credit card belonging to another individual ("Victim-1") to make unauthorized purchases.

b. On or about April 28, 2007, in Queens County, New York, BENDAL HOLT, the defendant, used a credit card belonging to another individual ("Victim-2") to make an unauthorized purchase.

(Title 18, United States Code, Section 1029(b)(2).)

COUNT TWO

The Grand Jury further charges:

4. From in or about April 2007, up to and including in or about June 2007, in the Southern District of New York and elsewhere, SHELTON HOLT, the defendant, unlawfully, willfully, and knowingly, and with intent to defraud, in an offense affecting interstate and foreign commerce, did effect transactions with one and more access devices issued to another person and persons, to receive payment and other things of value during a one-year period the aggregate value of which is equal to and greater than \$1,000, to wit, SHELTON HOLT used credit card

numbers issued to other individuals to make numerous unauthorized and fraudulent purchases.

(Title 18, United States Code, Sections 1029(a)(5).)

COUNT THREE

The Grand Jury further charges:

5. From in or about April 2007, up to and including in or about June 2007, in the Southern District of New York and elsewhere, SHELTON HOLT, the defendant, unlawfully, willfully and knowingly, during and in relation to the felony violations charged in count One and Two herein, did transfer, possess, and use, without lawful authority, a means of identification of another person, to wit, SHELTON HOLT used the names and social security numbers of other individuals in furtherance of the fraud offenses charged in Counts One and Two of this Indictment.

(Title 18, United States Code, Section 1028A.)

FORFEITURE ALLEGATION

AS TO COUNTS ONE THROUGH THREE

6. As a result of committing the offenses alleged in Counts One through Three of this Indictment, SHELTON HOLT and BENDAL HOLT, the defendants, shall forfeit to the United States pursuant to 18 U.S.C. § 982, any property constituting or derived from proceeds obtained directly or indirectly as a result of the credit card fraud and aggravated identity theft offenses.

Substitute Asset Provision

7. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 18 U.S.C. § 982(b), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 982 and Title 18, United States Code, Sections 1028A and 1029.)

  
FOREPERSON

  
MICHAEL J. GARCIA  
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v. -

SHELTON HOLT and  
BENDAL HOLT,

Defendants.

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INDICTMENT

07 Cr.

(18 U.S.C. §§ 1029(b)(2), 1029(a)(5),  
1028A.)

MICHAEL J. GARCIA

United States Attorney.

A TRUE BILL

  
Foreperson.

12/12/07 Filed Indictment. A/W closed. Case  
assigned to Judge Chen